

**Before the FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of Schools and Libraries)	
Universal Service Support Mechanism)	CC Docket No. 02-6
)	
American Samoa Telecommunications Authority, AS)	
Application No. 171025640)	
Petition for Reconsideration)	

**AMERICAN SAMOA TELECOMMUNICATIONS AUTHORITY
PETITION FOR RECONSIDERATION**

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May 30, 2019

SUMMARY

As the only Schools and Libraries Universal Support Mechanism (“E-rate”) program service provider in all of American Samoa, the American Samoa Telecommunications Authority (“ASTCA”) provides truly essential services to residents who would otherwise stand on the wrong side of the digital divide. Despite ASTCA’s best efforts to comply with all its E-rate program requirements, extraordinary circumstances beyond its control disrupted its ability to meet the Federal Communications Commission’s section 54.514 submission deadlines for funding year 2017.

ASTCA, an already leanly-staffed organization with limited resources, was forced to contend with a federally designated natural disaster. Just three months later, and before ASTCA had resumed regular operations, the unexpected death of its Chief Executive Officer necessitated a sudden internal reorganization. Moreover, the American Samoa Department of Education’s operations were equally thrown into tumult due to the natural disaster, making invoicing coordination even more difficult.

The Commission has previously recognized that natural disasters and unforeseeable, exigent medical emergencies may each render program participants unable to fulfill their E-rate program obligations. ASTCA, astonishingly, faced both within a short span of time. Given the extraordinary circumstances surrounding ASTCA’s submission and the public interests at stake, ASTCA requests that the Bureau reconsider its earlier denial of ASTCA’s January 2019 Request for Waiver, grant ASTCA a waiver of the FCC Form 474 submission deadline or, in the alternative, grant ASTCA a waiver of the automatic extension request deadline, and treat ASTCA’s FCC Form 474 as timely filed.

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PETITION FOR RECONSIDERATION

I. INTRODUCTION

The American Samoa Telecommunications Authority (“ASTCA”),¹ through its attorneys, respectfully submits this petition for reconsideration of the Wireline Competition Bureau’s (“Bureau’s”) denial² of ASTCA’s Request for Waiver (“ASTCA Request”)³ pursuant to section 1.106 of the Commission’s rules.⁴

ASTCA appreciates that the Bureau construed the ASTCA Request as relating to the company’s section 54.514 obligations despite ASTCA’s misidentification of the relevant forms and regulations.⁵ It is not clear from the Public Notice, however, whether the Bureau considered

¹ ASTCA (SPIN 143002923) is a state-owned, facilities-based provider of wireline, wireless, IPTV and Internet services in American Samoa, a U.S. territory covering seven South Pacific islands and atolls. Although ASTCA only has 175 employees, it is the largest communications operator in the territory, serving nearly 100 percent of the population. ASTCA is a critical provider of E-rate-supported communications for the American Samoa Department of Education (“DOE”), and also provides Internet services to the American Samoa Community College and all of the territory’s medical facilities.

² See *Streamlined Resolution of Requests Related to Actions by the Universal Service Administrative Company*, CC Docket No. 02-6, Public Notice, DA 19-326 at 16 (WCB rel. Apr. 30, 2019) (“Public Notice”).

³ See Exhibit 1, American Samoa Telecommunications Authority, AS, Application No. 171025640, Request for Waiver, CC Docket No. 02-6 (filed Jan. 28, 2019).

⁴ 47 C.F.R. § 1.106(f).

⁵ See Exhibit 1, ASTCA Request at 1.

ASTCA's submission as a request to waive the FCC Form 474 ("Form 474") submission deadline under section 54.514(a) of the Commission's rules, the automatic extension request deadline under section 54.514(b), or both.⁶ As discussed below, a waiver of either or both provisions is warranted in this case.

ASTCA's deadline to submit its FCC Form 474 or request an extension was no earlier than October 29, 2018.⁷ Despite its best efforts, ASTCA was unable to submit its Form 474 until November 27, 2018, no more than 29 days after the section 54.514(a) deadline had passed. Had ASTCA filed a request for an automatic extension pursuant to section 54.514(b) by October 29, 2018—which would have made ASTCA's Form 474 filing due no earlier than February 26, 2019—ASTCA's November 27, 2018 Form 474 submission would have been timely. Given the extraordinary circumstances surrounding ASTCA's submission and the public interests at stake, ASTCA requests that the Bureau reconsider its denial, grant ASTCA's request for a waiver of the FCC Form 474 submission deadline or, in the alternative, grant a waiver of the automatic extension request deadline, and treat ASTCA's FCC Form 474 as timely filed.⁸

II. WAIVER STANDARD

In general, the Commission's rules may be waived for good cause shown.⁹ The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance with the rule inconsistent with the public interest.¹⁰ In doing so, the Commission

⁶ See 47 C.F.R. § 54.514. Section 54.514(b) of the Commission's rules grants an automatic 120-day extension of section 54.514(a)'s Form 474 submission deadline to parties that seek such an extension prior to the 54.514(a) deadline. *See id.*

⁷ See 47 C.F.R. § 54.154(a). This Form 474 related to FCC Form 471 Number 171025640 (FRNs 1799054427, 1799054447, 1799054450 for funding year 2017).

⁸ See 47 C.F.R. § 54.514(a)-(b).

⁹ 47 C.F.R. § 1.3.

¹⁰ *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individualized basis.¹¹ A waiver of the rules is appropriate if (i) special circumstances warrant a deviation from the general rule, and (ii) such deviation will serve the public interest.¹²

As discussed below, a waiver is appropriate in this instance. In the *E-rate Modernization Order*, the Commission recognized that Schools and Libraries Universal Support Mechanism (“E-rate”) program participants often lack the resources needed to master the program’s complex processes.¹³ Mindful of these challenges, the Commission revised its rules to allow service providers to apply for an “automatic” 120-day extension of the Form 474 submission deadline.¹⁴ Although this accommodation was helpful to small program participants, it did not eliminate altogether the obligation to formally seek the extension by making a filing in advance of the Form 474 submission deadline. Perhaps in recognition that there are costs and administrative burdens associated with even those filings that are automatically granted, the Commission determined that circumstances outside of program participants’ control could still stand in the way of rightful funds reaching the entities that need them most. Consequently, although the Commission found that “it is generally not in the public interest to waive our invoicing rules,” it allowed the Bureau to grant waivers of those rules in “extraordinary circumstances.”¹⁵ As

¹¹ See *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular* at 1166.

¹² *Northeast Cellular* at 1166.

¹³ Cf. *Modernizing the E-rate Program for Schools and Libraries*, Report and Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8870, 8944 ¶ 187 (2014) (“There is broad agreement on the need to simplify the administration of the E-rate program in order to reduce the burden on applicants, make the most efficient use of E-rate funding, and foster greater participation in the E-rate program.”) (*E-rate Modernization Order*).

¹⁴ *Id.* at ¶240.

¹⁵ *Id.*

discussed below, the extraordinary circumstances leading to ASTCA's late-filed Form 474 and the significant public interests implicated here meet the Commission's standard for a waiver.

III. ASTCA MISSED THE SECTION 54.514 DEADLINES DUE TO EXTRAORDINARY CIRCUMSTANCES.

ASTCA missed the section 54.514 invoice deadlines due to extraordinary circumstances: the immediate and lasting effects of Cyclone Gita, which severely slowed the American Samoa Department of Education's ("DOE's") processing and payment of the invoices that ASTCA sent DOE well in advance of the Form 474 submission deadline, and the sudden death of the company's Chief Executive Officer, Mr. Pulelei'ite Li'a Tufele.

In the days leading up to Gita, an associated monsoon trough resulted in floods, evacuations and landslides across American Samoa.¹⁶ Gita's heavy rains and strong winds brought additional devastation, eventually displacing more than 800 people—15 percent of the population—from their homes,¹⁷ and leaving 90 percent of Tutuila, American Samoa's main island, without power and water.¹⁸ The damage caused was so great that FEMA approved over \$20 million in federal funds to aid in recovery efforts, and the American Samoa Government made insurance claims amounting to approximately \$15 million.¹⁹ President Donald Trump also declared a state of emergency.²⁰ Unfortunately, Gita's catastrophic effects lingered well after the

¹⁶ *Depression heading towards Samoa expected to become cyclone*, Radio New Zealand (Feb. 9, 2018) <http://bit.ly/2X8u1Af>.

¹⁷ *Eight hundred still in shelters in American Samoa*, Radio New Zealand, (Feb. 13, 2018) <http://bit.ly/2QurNZb>.

¹⁸ Fili Sagapolutele, *Gov. issues emergency declaration, power and water coming back on*, Samoa News (Feb. 11, 2018), <http://bit.ly/2W7UXn9>.

¹⁹ American Samoa Tropical Storm Gita (DR-4357), FEMA (Mar. 3, 2018), <http://bit.ly/2X7ba8l>; *Second insurance payment due in American Samoa for cyclone damage*, RNZ (Apr. 30, 2019), <http://bit.ly/2WaTlJa>.

²⁰ Press Release, The White House, *President Donald J. Trump Approves American Samoa Emergency Declaration* (Feb. 11, 2018), <http://bit.ly/2JKfIhV>.

storm. Indeed, twelve months after the cyclone, structural damage still threatened access to education for hundreds of students.²¹

ASTCA endeavored to comply with its E-rate obligations despite these challenges. ASTCA submitted its first 2018 invoice to DOE at the end of February, and the next one in April 2018. ASTCA repeatedly followed up with DOE to ensure prompt payment. In the midst of this process, three months after Gita and before ASTCA had resumed normal operations, ASTCA's CEO died unexpectedly,²² forcing a quick and temporary restructuring of ASTCA's operations.²³

Despite the company's internal turmoil, ASTCA submitted additional invoices to DOE in May, June, and July 2018, again following up persistently, both in writing and in person. In July 2018, DOE asked ASTCA to substantially revise six months of invoices to account for service interruptions caused by Gita, many of which had been previously undocumented in ASTCA's "trouble ticket" docket due to the urgency of Gita response efforts.²⁴ ASTCA submitted the revised invoices within a week. Yet DOE did not pay the invoices until November 9, 2018, days after the Form 474 submission deadline.²⁵

Given the extensive damage caused in American Samoa by Gita, DOE's payment delays were foreseeable. Although not expressly required by the Commission's rules, ASTCA understood USAC to require ASTCA to have received payment for the relevant invoices prior to

²¹ See, e.g., *One year on and islands still counting cost of cyclone*, CathNews (Feb. 6, 2019), <http://bit.ly/2HDoagI>.

²² Blue Chen-Fruean, *ASTCA CEO Pulelei'ite Tufele Jr. Passes Away, Services Pending*, Samoa News (May 12, 2018), <http://bit.ly/2WmIdbC>.

²³ As a result of the restructuring, ASTCA's Chief Financial Officer assumed CEO duties for seven months, until ASTCA's new CEO started in November 2018. The significant burden created by these added responsibilities, in the aftermath of Gita and after the unexpected death of the CEO, contributed to ASTCA's missed deadline.

²⁴ DOE had also asked for an invoice revision in March, but provided no payment.

²⁵ 47 C.F.R. § 54.514(a).

making its Form 474 submission.²⁶ ASTCA’s staff at the time, inexperienced in E-rate procedures, did not understand that in light of DOE’s delays, ASTCA should have filed an automatic extension request before the October 29, 2018 Form 474 submission deadline. ASTCA’s CEO’s death had left the company without the leadership needed to ensure full compliance during a very critical period.

The Bureau has previously recognized that natural disasters can create the type of conditions that justify a waiver of section 54.514. For example, in light of the “extraordinary property damage, personal injury, and disruptions in services”²⁷ caused by Hurricanes Harvey, Irma, and Maria, the Bureau waived, among other things, the Form 474 invoice submission deadline on its own motion for program participants located in areas designated as Major Disaster Areas eligible for Individual Assistance by the Federal Emergency Management Agency (“FEMA”) (“Affected Disaster Areas”).²⁸ In that case, parties were given an additional 150 calendar days from the effective date of the Hurricanes Order to submit their Form 474 invoices.²⁹ This extension also applied to program participants located in the Affected Disaster

²⁶ See, e.g., Schools and Libraries (E-rate) Program FCC Form 474 (SPI) User Guide at 3, <http://bit.ly/2Xi5AQA> (last visited May 29, 2019) (requiring that the service provider have “billed the applicant for its non-discount share of the services” before a service provider prepares and submits the FCC Form 474 to USAC); *FCC Form 474 Filing*, USAC <http://bit.ly/2HKG DY Z> (updated Mar. 2019). See also *Requests for Waiver of Decisions of the Universal Service Administrator by Ada School District Ada, Oklahoma et al.* Order, 31 FCC Rcd 3834, 3835 ¶2 (WCB 2016) (“applicants select one of two ways to seek reimbursement. . . . If an applicant pays its portion of the cost of the eligible services, then the service provider must file an FCC Form 474. . . to receive reimbursement from USAC.”). Cf. *Schools and Libraries Universal Service Support Mechanism*, Fifth Report and Order, 19 FCC Rcd 15808, 15816 ¶ 24 (2004) (USAC should recover all disbursed funds for any funding requests in which the beneficiary failed to pay its non-discount share of costs).

²⁷ See *Schools and Libraries Universal Service Support Mechanism, et al.* Order, 32 FCC Rcd 7456, 7458 ¶6 (WCB 2017) (“Hurricanes Order”).

²⁸ See *id.* ¶¶ 1-3.

²⁹ *Id.* at ¶ 3.

Areas that had already missed the submission deadline due to the storms.³⁰ Further, apparently recognizing that a natural disaster’s effects may extend well beyond the first few months, the Bureau noted that program participants in the Affected Disaster Areas that are unable to comply with program requirements by the end of extension period could request additional relief.³¹

More recently, noting the “extensive damage and disruption in service caused by the October 2017 wildfires” in California, the Bureau similarly found that “extraordinary circumstances” justified extending the Form 474 submission deadlines for schools and libraries in “affected areas” for up to 90 calendar days from the release of the order on January 3, 2019.³²

The Commission has also waived the automatic extension request deadline in response to natural disasters. In wake of Hurricane Michael, for example, the Bureau found that the extensive damage and disruption caused by the storm, and the storm’s close proximity to the invoice deadline, justified a waiver of the automatic extension request deadline.³³ Indeed, the Bureau extended the automatic extension to other applicants in “affected areas” on its own

³⁰ *Id.* at ¶ 3, n.9.

³¹ *See id.* at ¶6.

³² *Schools and Libraries Universal Service Support Mechanism Order*, Order, WC Docket No. 02-6, DA-19-15 at ¶2 (WCB rel. Jan. 3, 2019) (“*Wildfire Order*”). Here, the Bureau defined “affected areas” as the California counties designated as Major Disaster Areas eligible for Individual Assistance by FEMA. *See id.* at ¶2, n.6.

³³ *Request for Waiver of Section 54.514 of the Commission’s Rules by Florida Department of Management Services; Schools and Libraries Universal Service Support Mechanism*, Order, DA 18-1101, 33 FCC Rcd 10186, 10188 at ¶5 (WCB rel. Oct. 26, 2018) (“*Hurricane Michael Order*”). Although ASTCA’s Form 474 submission deadline was not as close to Gita as Hurricane Michael was to the deadline addressed in the order, deadline “proximity” in this context is—or should be—relative. American Samoa’s remote location and strained resources make it less capable of recovering as quickly from a devastating disaster as Florida, Georgia, or other jurisdictions in the Continental United States.

motion.³⁴ In doing so, the Bureau acknowledged that the aftermath of a natural disaster may render it impossible for program participants to timely request an extension.³⁵ The Bureau also made clear that program participants would still be eligible to request an automatic extension of the Form 474 invoice deadline, if needed.³⁶

ASTCA faced similarly dire circumstances when Gita made landfall in American Samoa. In the aftermath of Gita, FEMA designated several districts and counties as Major Disaster Areas eligible for Individual Assistance.³⁷ These areas of American Samoa were, therefore, as devastated as those areas that the Bureau recognized as “unable to avail themselves of such relief as a direct result of the damage caused” by the storm³⁸ and would have satisfied the “affected areas” or “Affected Disaster Areas” standard of earlier Bureau waivers of section 54.514.³⁹

The Bureau has also granted waivers of section 54.514 in response to health crises involving key personnel, acknowledging that unexpected events outside of a program participant’s control can hamstring even the most diligent of efforts by resource-strapped E-rate recipients. For example, White Lake District’s (“WLD’s”) E-rate compliance was thrown into tumult when its business manager suddenly developed a brain tumor that rendered her unable to carry on her duties.⁴⁰ The district was unable to anticipate this abrupt disruption of operations,

³⁴ Hurricane Michael Order at ¶1. The Bureau defined “affected areas” in this order as the counties in Florida and Georgia that had been designated as Major Disaster Areas eligible for Individual Assistance by FEMA.

³⁵ *See id.* at ¶5.

³⁶ *See id.* at ¶5, n.21.

³⁷ *See* American Samoa Tropical Storm Gita (DR-4357), FEMA (Mar. 3, 2018), <http://bit.ly/2X7ba8l>.

³⁸ Hurricane Michael Order at ¶ 5.

³⁹ *See* Hurricanes Order at ¶ 3; Hurricane Michael Order at ¶ 1; Wildfire Order at ¶ 2.

⁴⁰ Petition for Reconsideration by White Lake School District, CC Docket No. 2-06 (Feb. 14, 2017).

which prevented it from timely filing its E-rate invoices.⁴¹ On reconsideration, the Bureau recognized that the “combination of the diagnosis and immediate medical leave, the close proximity to the invoice filing deadline, the size of the district, the district’s quick effort to fill the employee’s position, and its rapid attempt thereafter to seek a waiver” amounted to extraordinary circumstances.⁴²

ASTCA likewise faced a tragic and unexpected turn of events that disrupted its ability to comply with the Commission’s E-rate invoicing rules and addressed the situation as promptly as possible. Much like WLD, ASTCA had no way of predicting its CEO’s untimely death. When company responsibilities had to be quickly reassigned as a result, ASTCA’s small staff lacked the resources needed to ensure E-rate compliance.⁴³ ASTCA moved swiftly to resolve this personnel issue, however,⁴⁴ and sent staff on a 16,000 mile trip to Washington, DC in late November 2018 for formal training with USAC in E-rate procedures. In January 2019, ASTCA filed the request for waiver that underlies this Petition, unfortunately without the benefit of legal counsel.⁴⁵ ASTCA has no reason to believe that it will miss any future program deadlines.⁴⁶

⁴¹ *See id.*

⁴² *Petition for Reconsideration by Jefferson-Madison Regional Library Charlottesville, VA et al.; Schools and Libraries Universal Service Support Mechanism*, Order on Reconsideration, 32 FCC Rcd 4626, 4631 ¶ 13 (WCB 2017).

⁴³ American Samoa’s limited labor pool makes it likely that replacement staff will need specialized training. *See* Department of the Interior, Office of Insular Affairs, *American Samoa*, <https://on.doi.gov/2VTngR4> (last visited May 29, 2019).

⁴⁴ *See* Exhibit 1, ASTCA Request at 2.

⁴⁵ *See id.*

⁴⁶ In analogous contexts, the Commission and the Bureau have also granted waivers to applicants who missed the FCC Form 471 filing deadline due to school reorganizations, misunderstandings regarding the filing deadline, staff emergencies, inadvertent errors, or circumstances beyond their control, including inclement weather. *See, e.g., Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, et al.; Schools and Libraries Universal Service Support Mechanism*, Order, 21 FCC Rcd 5316 (2006); *Requests for Waiver of*

While the detrimental effects of Gita or ASTCA's CEO's death would have each independently satisfied the Commission's waiver standard, ASTCA endured both in the span of just a few months. And throughout these challenges, ASTCA delivered critical communications services to DOE, including the 17,000 DOE students who depend on ASTCA for connectivity.

IV. ALLOWING USAC TO ACCEPT ASTCA'S FORM 474 WILL SERVE THE PUBLIC INTEREST.

As one of only two wireline or wireless Internet service providers (and the only E-rate Internet service provider) in all of American Samoa, ASTCA truly provides essential services to the territory, which is why it is maintained as a State-owned enterprise, even as other state-owned enterprises have been privatized. Especially given American Samoa's remote geographic location, a lack of connectivity would leave American Samoans without a way to do their homework, search and apply for jobs, access critical healthcare and safety resources, and fully participate in the global digital economy.

DOE, in turn, is ASTCA's biggest customer. E-rate constitutes approximately 50 percent of ASTCA's total enterprise revenues, 20 percent of its total Internet revenues, and 5 percent of its total annual revenues. Losing six months of revenues—amounting to \$558,303.95⁴⁷ for services it laudably *provided* during Funding Year 2017—would severely hamper ASTCA's

the Decision of the Universal Service Administrator by Academy for Academic Excellence, et al.; Schools and Libraries Universal Service Support Mechanism, Order, 22 FCC Rcd 4747 (WCB 2007). The Commission has also waived the rules when petitioners were delayed by an unexpected illness or death of a family member and still filed within 30 days of the deadline, noting that these filings were made “close enough to the deadline so as not to impair the administration of the program.” *See Requests for Waiver and Review of Decisions of the Universal Service Administrator by Academy of Math and Science, Tucson, AZ, et al.; Schools and Libraries Universal Service Support Mechanism*, Order, 25 FCC Rcd 9256, 9260 ¶9 (2010). ASTCA faced some of these same challenges and likewise filed within 30 days of the deadline. The scale of ASTCA's operations, and the challenges it faces, are akin to those faced by smaller program participants.

⁴⁷ This amount corresponds to services provided in connection with FCC Form 471 Number 171025640, FRNs 1799054427, 1799054447, 1799054450 (BEN 150224).

ability to reinvest in its network and offer American Samoa's residents more advanced, affordable, and resilient telecommunications and broadband services. By reconsidering its decision to deny the ASTCA Request, the Bureau can ensure that American Samoa's schools and libraries remain connected to the digital world.

V. CONCLUSION

Given the extraordinary circumstances surrounding ASTCA's submission and the public interests at stake, ASTCA requests that the Bureau reconsider its denial of ASTCA's request for a waiver of section 54.514(a)'s Form 474 invoice submission deadline, or, in the alternative, of section 54.514(b)'s automatic extension request deadline, and treat its Form 474 as timely filed.

Respectfully submitted,

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May 30, 2019

CERTIFICATE OF SERVICE

I, Eugene Kim, hereby certify that I caused a true and correct copy of the foregoing **AMERICAN SAMOA TELECOMMUNICATIONS AUTHORITY PETITION FOR RECONSIDERATION** to be served on the following via United States mail and email on this date May 30, 2019:

Universal Service Administrative Co.
Attn: Schools and Libraries Program
700 12th Street, NW, Suite 900
Washington, DC 20005

s/ Eugene Kim

Eugene Kim

EXHIBIT 1



Hon. Lolo M. Moliga
Governor

Hon. Lemanu P. Mauga
Lt. Governor

American Samoa Telecommunications Authority



Iulogologo Joseph Pereira
Chairman, Board of Directors

Lewis Wolman
Chief Executive Officer

January 24, 2019

Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 02554

Request for Waiver: CC Docket 02-6
Form 471 Number: 171025640
FRN Number: 1799054427
Funding Year: 2018
Billed Entity Name: American Samoa Telecommunications Authority (ASTCA)
BEN: 150224

Contact Information:

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To Whom It May Concern,

The American Samoa Telecommunications Authority (ASTCA) kindly requests your support to grant a waiver for FY2018 Form 471 deadline, and further appeal the Out-Of Window Notification for FY2018 so that our Form 471 E-rate application will be considered as having been filed within the window. The Form was submitted November 27, 2018.

Due to natural disaster (Cyclone Gita in February 2018), the untimely passing of our Chief Executive Officer (Mr. Pulelei'ite Li'a Tufele in May 2018), prompting organizational re-structure and re-assignments.

Department Of Education (DOE) implemented new filing processes which were impacted with the arrival of Cyclone Gita. Schools were shut down for more than a week. DOE's new process impinged on the timely submission of information/data to ASTCA.



Hon. Lolo M. Moliga
Governor

Hon. Lemanu P. Mauga
Lt. Governor

American Samoa Telecommunications Authority



Iulogologo Joseph Pereira
Chairman, Board of Directors

Lewis Wolman
Chief Executive Officer

The passing of our CEO was unexpected and sudden. This required quick shuffling of roles, responsibilities, with a steady pulse-check on the team. There was minimal time for cross-checking during these challenging times. New personnel was assigned to process, maintain and take control of FCC filings due to unsatisfactory results from previous member.

In light of the reasons above, we respectfully request the FCC view these extenuating circumstances as good cause to waive the Form 471 deadline for this application.

Thank you for your consideration.

Respectfully Submitted,

Tofiga Liaiga
Compliance Department, American Samoa Telecommunications Authority